

Group Responsibility

1. Group Agents: A “group of people” is just any collection of persons. Groups of people can be collections of people who don’t even know each other, with no unified goal or purpose—such as the group of all the people with red hair. On the other hand, often groups DO share a unified goal or purpose—such as a sports team, a dance troupe, a committee, an organization, or a corporation.

Whenever a group of people share some UNIFICATION, say with a unified goal or purpose, they tend to act like “agents” or “persons”. An **agent** (or “person”) is just what we call individuals who are capable of making decisions, engaging in activities, forming goals, pursuing objectives, etc. There is no question of whether or not groups often ACT like agents—for instance, it is common to say that “the TEAM won the game,” or “the COMMITTEE passed the law”, or “the CITIZENS elected a new president”. But, it is one thing to ACT like an agent, and another to BE an agent. The question is: ARE groups agents?

Why is this question important? Well, it is important for a number of reasons, but the reason we will focus on is an ethical one. You see, we generally think that only AGENTS have moral obligations. Only AGENTS can be held morally accountable for their actions. Only AGENTS can be worthy of moral praise or blame for the things they have done. For instance, rocks, and oceans, and potatoes do not make decisions, engage in activities, form goals, or pursue objectives. And for these reasons, no one has ever tried to blame a potato for anything. “Bad potato!” is something you never hear people say.

For our purposes, we want to know if BUSINESSES, or CORPORATIONS, are agents. Do corporations have moral obligations? Can we hold corporations morally accountable for their actions? It seems that corporations can ONLY be responsible for their actions if they are **agents** (or “persons”).

2. A Puzzle About Group Agency: Some argue that groups are NOT agents, because moral agents must have their own beliefs, goals, and desires. In other words, agents must have **intentions**. But, it does not seem possible for a GROUP to have its own “intentions” (i.e., goals, or desires). Groups do not “intend” anything. PEOPLE do.

Furthermore, since an individual can only be held morally responsible for something if they INTENDED to do it, many conclude that it is NOT possible to hold a group morally responsible or blameworthy for its actions (rather, we should only ever hold individual PEOPLE accountable for what groups do).

Why would we think that businesses do not have their own intentions? Well, we might propose that the “beliefs” or “intentions” or “goals” of a group (e.g., a corporation) are not independent of the people within the group. In other words, we might claim that the beliefs or intentions of a GROUP are MERELY the collections of the beliefs, intentions, and goals of the individual PEOPLE IN the group.

But, Philip Pettit raises a puzzle which questions this line of thinking. The purpose of this puzzle is to demonstrate that the intentions or goals of a group are NOT merely reducible to the intentions or goals of the individuals that make up that group. On the contrary, groups can actually have DIFFERENT beliefs and opinions than their individuals do! The following is my own version of Pettit’s puzzle:



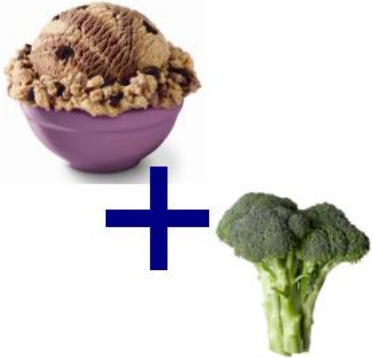
- **Broccoli and Ice Cream:** Harry, Mark, and John are college roommates. They only have enough money for a few groceries, and they are trying to decide what to get. They’ve narrowed it down to broccoli and ice cream.
 - (a) Harry is really into junk food, and votes that they ONLY get ice cream, and not broccoli.
 - (b) John is a health food nut, and votes that they ONLY get broccoli, and not ice cream.
 - (c) Mark eats pretty much everything, and votes that the group get both broccoli AND ice cream.

Now, the interesting thing is that, when we consider the desires of the group **as a group** we get different results than when we consider the desires of the group **as a collection of individuals WITHIN the group**.

Consider: 2 out of 3 people voted for broccoli, so the majority wants broccoli. Also, 2 out of 3 people voted for ice cream, so the majority also wants ice cream. So, as a GROUP, the group does want BOTH broccoli AND ice cream.

On the other hand, only 1 out of 3 people in the group actually wants both broccoli AND ice cream (namely, Mark). So, taken as INDIVIDUALS, the majority does NOT want both broccoli and ice cream (since 2 out of the 3 individuals actually voted AGAINST buying both).

The following diagram illustrates this story:

			
	Broccoli	Ice Cream	Broccoli AND Ice Cream
Harry	No	Yes →	No
Mark	Yes	Yes →	Yes
John	Yes	No →	No
	↓	↓	↓
Group	Yes	Yes →	Yes / No

The Group Votes Yes: In the diagram above, we can see that the group votes “Yes” on broccoli AND “Yes” on ice cream—so the **group** votes “Yes” on broccoli-and-ice-cream.

The Majority of the Individuals Vote No: On the other hand, Harry said “No” to broccoli-and-ice-cream, and John ALSO said “No” to this. But, these 2 (out of 3) individuals compose a majority, such that, AS INDIVIDUALS, the majority of the group does NOT want both broccoli and ice cream; after all, most of the **individuals** (2 out of 3) voted “No” on broccoli-and-ice-cream.

Conclusion: This puzzle illustrates that **groups can have different intentions and desires than the individuals who MAKE UP that group**. So, it looks like group entities such as committees, organizations, business, and corporations have their own intentions after all.

Furthermore, this gives us some evidence that groups, in some sense, have “minds of their own”. BUT, anything that has a mind of its own—its OWN distinct set of desires, beliefs, goals, and so on—is an AGENT. And agents are the sorts of things that can be held morally responsible for their actions.

3. Can Groups Be Morally Responsible?: CAN we hold businesses and organizations morally responsible for their actions? So far, we have seen reasons to believe that groups—at least ones with unified goals and intentions—are agents with their own unique intentions. This is a step in the right direction, since being an **agent** (or a “person”) is a necessary condition (a pre-requisite) to having moral responsibilities. But, there is the further question of whether or not groups HAVE responsibilities. Maybe it turns out that, while businesses ARE agents, they do NOT have responsibilities. As Milton Friedman says in his article (assigned for next week), “What does it mean to say that ‘business’ has responsibilities? Only people can have responsibilities.” (pg. 4) Well, let’s look at some reasons both for and against the conclusion that businesses have moral responsibilities:

Reasons For: Here are some reasons IN FAVOR OF the conclusion that businesses ARE morally responsible for their actions:

1. Businesses have the features of a moral agent: Peter French proposes that morally blameworthy groups always have two features:
 - (a) There must be some sort of identifiable *agent* (e.g., a single person, or a CEO, or a board of directors); i.e., some centralization of power and decision-making. In other words, agents cannot just be chaotic collections of individuals with no central rule or unification.
 - (b) The actions and choices of the agent must have certain qualities (i.e., they must resemble the way choices are made by individual people—they are intentional, independent, goal-oriented, etc.)But, businesses DO have these features, and so they are very strong candidates for moral praise and blame; for reward and punishment.

2. Businesses make decisions: We have already seen reason to believe that businesses have their own sets of intentions. As such, businesses **make decisions**—decisions of their own, independent of the decisions of the individual people WITHIN the business. But, some argue, being an independent decision-maker (i.e., having independent intentions) is ALL that is needed in order to have moral responsibilities. For, any entity that makes a decision is one that considers REASONS for making one decision over another. But, then, some of those reasons that enter into the decision-making process will inevitably be MORAL reasons. And **any individual that is capable of considering moral reasons** during its decision-making procedure is a moral agent that can be held morally responsible or accountable for its decisions.

3. Legal precedence: We ALREADY treat businesses as “persons” that are morally responsible for their actions. There is much legal precedence in the past to support this. As your textbook points out, we have ALREADY extended several rights laid out in the Constitution to businesses; for instance, the rights to free speech (1st Am.), against unreasonable searches and seizures (4th Am.), against double-jeopardy (5th Am.), to compensation for government takings (5th Am.), jury trial (7th Am.), and due process (14th Am.). Thus, the law already recognizes businesses as “persons”—indicating that we have as a nation have a strong intuition that businesses SHOULD be held morally responsible for their actions (independently of also holding the people who work there morally responsible for their individual actions).

Reasons Against: Here are some reasons AGAINST the conclusion that businesses can be held morally accountable for their actions:

1. Businesses are not moral: Some claim that businesses CANNOT be held accountable for upholding the standards of morality for one simple reason: Their sole purpose is not a moral one, rather their sole purpose is to PROFIT! As such, they cannot be expected to be moral agents.
2. Businesses have no bodies: Manuel Velasquez argues that any agent or “person” that can be held accountable for its actions must have a BODY. There must be some THING that carries out the supposedly wrong actions, and also some THING that we can punish when it does wrong. But, as a famous quote indicates, businesses “have no soul to be damned, and no body to be kicked.” Therefore, businesses are not moral agents.

Objection to 1 (businesses are not moral): We will examine this line of reasoning over the next 2 weeks. It is a view called “Shareholder Theory” (or, “Stockholder Theory”) and is championed by Milton Friedman. So, we will save objections to this claim for later.

Objection to 2 (businesses have no bodies): Are businesses bodiless? Might we think that—just as the human body is composed of thousands of parts that are all doing their own jobs (blood cells, neurons, organs, fluids, etc.)—so too, a business’s “body” is just composed of the buildings, the employees, the trucks, the products, etc. that make up that business? It DOES seem that there is something capable of being punished when a business does wrong. For instance,

we can take away a business's profits, or place new heavy regulations upon it, or force it to atone for its sins by contributing to community service and so forth. Businesses do not seem to be wholly "bodiless" in every sense of the word.

Topic Suggestion: Group Responsibility #1: Consider Peter French's claim that groups are only responsible for their actions when there is some sort of **centralized power or decision-maker**. Is this correct?

Recall the case of Kitty Genovese, described on pages 28-29 of your textbook. Kitty was assaulted and then stabbed to death while her neighbors watched for over half an hour, doing nothing to help her.

The people who watched Kitty die were not unified like the people who make up committees or businesses are; they simply all lived in the same apartment building. But, even though this group had no centralized power or decision-maker, is it the case that they can still be held responsible for their actions? In other words, can the GROUP of neighbors who watched Kitty die be held morally accountable for not helping Kitty Genovese? Why or why not? If they CAN be held responsible, how should we dole out the punishment (if any)?

Topic Suggestion: Group Responsibility #2: When a corporation does wrong, it is often very difficult to determine HOW and WHOM to punish. Consider for instance, the BP oil spill of 2010.

In April of 2010, an explosion on an oil rig off the West coast of Florida began a deep-sea oil leak. For 3 months, oil flowed freely from an exploded pipeline into the Gulf of Mexico, allowing a total of over 210 MILLION gallons of oil to leak into the ocean's waters. This led to widespread devastation of the coastlines in Florida, Alabama, Mississippi, and Louisiana, as well as the deaths of thousands of animals, destruction of local fishing industries (and shrimping, etc.), and other sorts of economical damage (such as the tourism industry).

There is no doubt that something very bad occurred. The question is: **Who** do we blame? How do we **assign** blame or punishment? It seems that we have three options:

- a) Blame and punish the **company** only (for instance, by making it pay huge fines, pay for the clean-up of their mistake, and placing future restrictions on the company's activities).
- b) Blame and punish **individuals** only (for instance, by prosecuting the CEO, or board of directors, or the employees on the oil rig who failed to follow the regulations that would have prevented the explosion, etc.—possibly fining those people, or sending them to jail).
- c) Blame and punish **both** the company AND certain individuals.

What do you think the right course of action is in a case such as this? Does your answer have any implications for whether or not **companies** can be thought of as having moral responsibilities/being morally blameworthy INDEPENDENT of the responsibilities/blameworthiness of the individual people who make up that company? Explain.